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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,234	07/14/2000	Takehiro Yoshida	35.G2619	5377
5514	7590	08/18/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			PARK, CHAN S	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2625	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/617,234	Applicant(s) YOSHIDA, TAKEHIRO	
	Examiner CHAN S. PARK	Art Unit 2625	

-- Th MAILING DATE of this communication appears on the cov r she t with th corr spond nce address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 and 9 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 4 and 9 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
 PRIMARY EXAMINER

Tran

Chan S. Park

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-949) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/5508)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/27/06 has been entered. Currently, **claims 4 and 9** are pending.

Response to Arguments

2. Applicant's arguments filed 7/27/06 have been fully considered but they are not persuasive. The examiner respectfully notes that the newly added limitation "a processor switching ... whether the ring-type multiple-address transfer is performed or not" can still be interpreted as being unpatentable over Watanabe (U.S. Patent No. 5,170,428), in view of Kawasaki (U.S. Patent No. 6,310,669).

Again, as previously stated in the ***Response to Arguments*** of the Office Action dated 3/22/05, referring to col. 2, lines 33-45, the system of Watanabe includes three facsimile machines. Fax 1 represents as a repeater station for performing the repeating multiple-address transmission; Fax 2 represents a fax apparatus for requesting the repeating multiple-address transmission; and Fax 3 represents a receiving fax for receiving the repeating data from the Fax 1.

Now, when the start of ring-type multiple-address transmission is selected, that is when the fax apparatus of fig. 2 is used as the transmitter (Fax 2) for initiating the ring-type multiple-address transmission, its own telephone number is apparently added in the transmission. The telephone number is added and transmitted to the repeater station in order to (1) transmit back the transmit repeating result to the transmitting facsimile apparatus (fig. 3, S 29 & S30) and (2) register/store the telephone number of the transmitting facsimile apparatus in the repeater station (col. 6, lines 21-31 and col. 5, lines 41-46). Thus, it is clear that the transmitter information is added when the start of ring-type multiple-address transmission is selected. The examiner construes the claimed image information as the image sender information.

Moreover, when the transfer of ring-type multiple-address reception is selected, that is when the fax apparatus of fig. 2 is used as the repeater station (fax 1), the address of the transmitter (fax 2) is apparently not added by the controller of fax 1 since it was already added by the transmitter. Examiner agrees with the applicant, in that the process performed by the current invention might be different (i.e., the transmitter information is not added by the controller of fax 2 in the transmission according to fig. 3B of the original Drawings) than what Watanabe teaches. However, this difference is not apparent in the current claim wording.

Therefore, Watanabe teaches the limitations presented above.

3. Applicant's amendment necessitated the following new grounds of rejection in this Office action.

Claim Objections

4. Claims are objected to because of the following informalities:

Claim 4, Line 9, "image information" should be -- the image information --; and

Claim 9, Line 8, "image information" should be -- the image information --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The claims now recites "a process switching to transfer the received image with image information added thereto or to transfer the received data without adding [the] image information in accordance with whether the ring-type multiple-address transfer is performed or not". In the previous claims, the applicant claimed that it is the transfer unit which transfers the received image with/without adding the image information. It is unclear if the applicant is claiming whether the processor is switched to transfer the received image or the transfer unit. The examiner respectfully requests the applicant to point out from the Specification where such a limitation is described.

Further, it is unclear if the received data is transferred after the ring-type multiple-address transfer is performed since the decision, according to the claim wording, is based on whether it is performed or not.

6. Claims 4 and 9 recite the limitation "the transmitter information". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Kawasaki.

7. With respect to claim 4, Watanabe et al. discloses a communication apparatus (facsimile) adapted to perform ring-type multiple-address transfer, said apparatus comprising:

a memory, (fig. 2, #10, column 3, lines 58-59) arranged to store received data;

a transfer unit (fig. 2, #12 & #13, column 3, lines 27-68) arranged to transfer the received data stored in said memory;

an identification unit (fig. 2, #12 & #13, column 3, lines 27-68), arranged to identify whether or not the received data is data assigned to be subjected to ring-type multiple-address transfer; and

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a processor (fig. 2, #6, column 2, lines 48-68, column 3, lines 1-4) switching to transfer the received image with image information added thereto or to transfer the received data without adding the image information in accordance with whether the ring-type multiple-address transfer is performed or not. Refer to the arguments represented above.

Watanabe, however, does not disclose expressly that the transmitter information is added as to the received image data as image data.

Kawasaki, the same field of endeavor of the facsimile system, discloses the method of adding the transmitter facsimile information as the image data (Abstract and col. 2, lines 39-42).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the method of adding the transmitter information as the image data of Kawasaki into the facsimile system of Watanabe.

The suggestion/motivation for doing so would have been to receive the transmitter information along with the image data.

Therefore, it would have been obvious to combine Kawasaki with Watanabe to obtain the invention as specified in claim 4.

8. With respect to claim 9, arguments analogous to those presented for claim 4, are applicable.

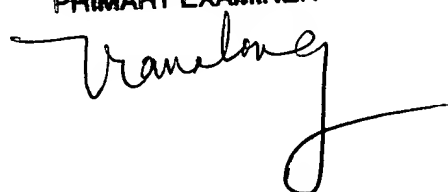
Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
August 9, 2006

DOUGLAS Q. TRAN
PRIMARY EXAMINER


Chan S. Park
Examiner
Art Unit 2625

